THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16649 of 2006

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in preventing the petitioner from undertaking repairs of articles as permitted under licence even after expiry of three months from the date of order of suspension passed by second respondent in proceedings No.1056/L1/2005 dated 7.3.2006 as arbitrary and illegal.

It appears, petitioner is a licensee for undertaking repairs to weights and measurements etc. While so, the second respondent passed the impugned order dated 7.3.2006 suspending the licence held by the petitioner on the ground that petitioner did not explain the reasons for making allegations of corruption and harassment against some of the departmental authorities.

The learned counsel for petitioner Sri M.Venkata Narayana strenuously contended that assuming that the licence of the petitioner is suspended validly as per the power vested in the authority, such suspension should not be extended for more than three months as per Section 20 of the Standards of Weights and Measurements (Enforcement) Act, 1985. However, questioning the impugned order dated 7.3.2006, petitioner has already filed a statutory appeal before the first respondent-Government and the same is pending.

In view of the above, without expressing any opinion on merits, the writ petition is disposed of directing the first respondent to consider and dispose of the appeal filed by the petitioner within a period of three months from the date of receipt of a copy of this order. Till such time, the impugned suspension order dated 7.3.2006 shall not be given effect to. No order as to costs.

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C.V.RAMULU, J

Date: 24.11.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16649 of 2006

24.11.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.16649 of 2006

Date: 24th November, 2006

Between:

Sri Venkata Sai Weighing Services,
rep. by Licensee M.Venkatapathi Setti
R/o Kakarlavari street, Nellore.

.. Petitioner

And

State of A.P., rep. by its Secretary,
Civil Supplies & Legal Metrology,
Secretariat, Hyderabad & others.

.. Respondents